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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 **NALINEE PIMPHAN**  
14 **2803 W. Bluff Ave.**  
**Fresno, CA 93711**

15 **Registered Nurse License No. 522582**  
16 **Nurse Practitioner Certificate No. 12678**  
17 **Nurse Practitioner Furnishing No. 12678**  
18 **Public Health Nurse Certificate No. 57926**

Respondent.

Case No. 2019-694

**FIRST AMENDED ACCUSATION**

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20 Complainant alleges:

21 **PARTIES**

22 1. Joseph L. Morris, PhD, MSN, RN (Complainant) brings this Accusation solely in his  
23 official capacity as the Executive Officer of the Board of Registered Nursing (Board),  
24 Department of Consumer Affairs.

25 2. On or about June 14, 1996, the Board issued Registered Nurse License Number  
26 522582 to Nalinee Pimphan (Respondent). The Registered Nurse License was in full force and  
27 effect at all times relevant to the charges brought herein and will expire on September 30, 2019,  
28 unless renewed.

3. On or about July 30, 2001, the Board issued Nurse Practitioner Certificate Number 12678 to Respondent. The Nurse Practitioner Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2019, unless renewed.

4. On or about August 28, 1997, the Board issued Public Health Nurse Certificate Number 57926 to Respondent. The Public Health Nurse Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2019, unless renewed.

5. On or about October 20, 2006, the Board issued Nurse Practitioner Furnishing Certificate number 12678 to Respondent. The Nurse Practitioner Furnishing Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2019, unless renewed.

## JURISDICTION

6. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

7. Code section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

8. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

## **STATUTORY AND REGULATORY PROVISIONS**

9. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct . . . .

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1 **COSTS**

2 10. Code section 125.3 provides, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licensee found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 **CAUSE FOR DISCIPLINE**

7 (Unprofessional Conduct)

8 11. Respondent is subject to disciplinary action under Code section 2761(a) for  
9 unprofessional conduct, as follows:

10 12. On numerous occasions in 2012, Respondent, who worked as a nurse practitioner  
11 under the supervision of a physician in Fresno, California, prescribed hydrocodone for a  
12 psychiatric patient under Respondent's care. In doing so, Respondent failed to conduct and  
13 document in the patient's medical record an adequate assessment justifying the prescription of  
14 narcotics for the patient.

15 **PRAYER**

16 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
17 and that following the hearing, the Board of Registered Nursing issue a decision:

18 1. Revoking or suspending Registered Nurse License Number 522582, issued to Nalinee  
19 Pimphan (Respondent);

20 2. Revoking or suspending Nurse Practitioner Certificate Number 12678, issued to  
21 Respondent;

22 3. Revoking or suspending Public Health Nurse Certificate Number 57926, issued to  
23 Respondent;

24 4. Revoking or suspending Nurse Practitioner Furnishing Certificate Number 12678,  
25 issued to Respondent;

26 5. Ordering Respondent to pay the Board of Registered Nursing the reasonable costs of  
27 the investigation and enforcement of this case, pursuant to Business and Professions Code section  
28 125.3; and,

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6. Taking such other and further action as deemed necessary and proper.

DATED:

April 25, 2019



JOSEPH L. MORRIS, PHD, MSN, RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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